

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

PETER PISEK,

Plaintiff,

v.

KINDRED HEALTHCARE, INC.
DISABILITY INSURANCE PLAN,
METROPOLITAN LIFE INSURANCE
COMPANY, and KINDRED
HEALTHCARE, INC.,

Defendants.

CAUSE NO. 1:06-cv-0372-RLY-TAB

ENTRY OF JUDGMENT

By Entry dated July 17, 2007 (Docket No. 31), the Court granted in part and denied in part both the Plaintiff's motion for summary judgment (Docket No. 25) and the Defendants' motion for summary judgment (Docket No. 28). The Plaintiff is entitled to penalties from Kindred Healthcare, Inc. in the amount of \$9800 but is not entitled to penalties from Metropolitan Life Insurance Company. The Plaintiff is also entitled to a cost-of-living increase in his monthly benefit from the Kindred Healthcare, Inc. Disability Insurance Plan, retroactive from July 2005. No party is awarded attorneys' fees or costs. A final judgment is ordered accordingly.

DATED this 16th day of August, 2007.



RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana